

**Statement of
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**Before the
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National Parks, Forests and Public Lands
H.R. 3440
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Introduction

Thank you for the opportunity to discuss the Bureau of Land Management's (BLM's) views on H.R. 3440, the Recreational Shooting Protection Act. The Department of the Interior strongly supports the goal of promoting opportunities for outdoor recreation, including recreational shooting on America's public lands. The BLM is responsible for the protection of resources and multiple-use management of our Nation's 245 million acres of public land. The vast majority of these public lands are open to recreational shooting.

H.R. 3440 would replace the BLM's locally driven land-use planning and management with top-down oversight and intervention from Washington, as it relates to placing limits on recreational shooting in National Monuments. The BLM's multiple-use mission is best achieved when land management issues are handled locally through its site-specific land-use planning and public involvement processes. Since H.R. 3440 would overturn this critical local management structure, and because the bill also could potentially jeopardize public safety and our ability to protect resources, the Department of the Interior opposes the measure.

Background

The BLM manages the public lands for a variety of uses, including energy development, livestock grazing, recreation, and timber harvesting, while protecting an array of natural, cultural, and historical resources. The Bureau's multiple-use management activities are authorized by the Federal Land Policy and Management Act (FLPMA) and a host of other statutes. Management of specific, local areas is shaped by public input through the land use planning process authorized by FLPMA and through environmental review documents required by the National Environmental Policy Act (NEPA).

Approximately 4.8 million acres of BLM-managed public lands have been designated as 16 National Monuments. These Monuments are managed in accordance with FLPMA and other authorities, and comprise part of the BLM's National Landscape Conservation System (NLCS).

The National Monuments managed by the BLM encompass landscapes of tremendous beauty and diversity, ranging from rugged California coastline to vividly-hued desert canyons. They exemplify not only our landscape, but our character as a nation. They include irreplaceable and fragile national treasures such as Pompey's Pillar in Montana, the site of William Clark's 1806 signature on the face of the 150-foot butte, named for Sacagawea's son and the only tangible evidence left from Lewis and Clark's historic expedition; the Canyon of the Ancients in Colorado, which has the highest known density of archaeological sites in the nation; and Kasha-Katuwe Tent Rocks in New Mexico with its delicate, boulder-capped, tapering volcanic hoodoo formations in banded shades of gray and pink.

The BLM estimates that well over 95 percent of the 245 million acres of BLM-managed public lands are open to recreational shooting. Of the BLM's 4.8 million acres of National Monument lands, currently 88 percent are open to recreational shooting. While the BLM lands are open to hunting virtually everywhere the individual states allow it, the agency must occasionally restrict recreational target shooting in extremely limited circumstances to ensure public safety or protect fragile resources. Restrictions on recreational shooting are determined through extensive analysis as part of the BLM's land-use planning process which is informed by local public input. Typically, recreational shooting closures include: administrative sites, campgrounds, and other developed facilities; certain areas with intensive energy, industrial, or mineral operations; lands near residential or community development; or areas with significant and sensitive natural or cultural resources. When lands are closed to recreational shooting, those restrictions are often implemented to comply with state and local public safety laws and ordinances, or are implemented at the request of local communities or other adjacent private property owners.

Any consideration of closures or restrictions on BLM-managed lands is completed through the BLM's public participation framework for planning and decision making established under FLPMA and NEPA. Through public comments and scoping periods, land use actions are guided and shaped by the public input. This is an open process through which BLM's proposals for managing particular resources are made known to the public before management action is taken, except in certain emergency situations. The BLM responds to substantive comments received from the public and stakeholders on the proposed management action during the NEPA public review process.

H.R. 3440

The Department of the Interior opposes H.R. 3440 as it runs counter to the BLM's fundamental and locally-driven land-use planning and management processes, and potentially jeopardizes public safety. H.R. 3440 declares that recreational shooting shall be allowed in National Monuments administered by the BLM, except if the BLM Director determines that restrictions on shooting are necessary for reasons of public safety, national security, or to comply with a Federal statute. The bill requires the BLM Director to publish public notice of all pending closures and provide a detailed report to Congress before, or in certain cases, no later than 30 days after, a closure. Under the bill, closures would be limited to six months unless specifically enacted into law by Congress.

Currently, any determination to close public lands to recreational shooting activities is made by the BLM local or State Office following detailed analysis and extensive public involvement and notification, including contacting over 40 hunting and fishing interest non-government organizations, as specified in the Federal Land Hunting, Fishing and Shooting Sports Roundtable Memorandum of Understanding (MOU). For example, in 2010 the BLM made a decision to close the 70,000-acre Agua Fria National Monument near Phoenix to recreational shooting in order to protect sensitive cultural and biological resources. This was accomplished with the support of the Shooting Sports Roundtable, the Arizona Game and Fish Department, and local recreationists, in conjunction with a decision to enhance opportunities to allow recreational shooting on the adjacent 900,000 acres of public lands outside the Monument. HR 3440 strips local BLM managers of their ability to make such closure decisions at a local level, dismisses the time and effort contributed by members of the public who participate in the public planning process, and shifts responsibility thousands of miles away in Washington to the BLM Director and to Congress.

H.R. 3440 also removes all existing recreational shooting restrictions or closures in National Monuments under BLM jurisdiction. Enactment of the bill could result in the automatic repeal of all current closures and restrictions for recreational shooting, even those that are the result of collaborative resource management plans developed with extensive public input. Any such blanket repeal of closures may jeopardize public safety and property. The bill makes no reference or exception to restrictions or closures consistent with State laws or local regulations which may restrict recreational shooting. This could undermine local cooperative relationships in rural areas where BLM Law Enforcement Rangers work closely with Counties.

The effects of the bill are far-reaching, and could potentially jeopardize public safety on the public lands. Consider, for example, a BLM Field Manager who is evaluating whether to establish a restriction or closure to recreational shooting to reduce the risk of wildfire from ammunition strike. Recent examples of such public land wildfires initiated by recreational shooting include the 12,000-acre Lakeside fire that occurred this past summer 45 miles west of Salt Lake City, Utah, with an estimated suppression cost of \$800,000. In addition in 2009 the Sand Hollow fire in Idaho burned 864 acres of public land and caused over \$400,000 in damages. The risk of wildfire from recreational target shooting is real and local Field Managers should have every tool available to them, including permanent, temporary, or seasonal closures, to manage resources and reduce the likelihood of wildfire and protect communities and resources at the local level.

Under H.R. 3440, regardless of on-the-ground conditions, only the BLM Director in Washington could issue such a closure. Furthermore, under the bill, such closures would cease after six months, never to be issued again – even to prevent wildfires – unless Congress approves the closure by enacting it into law. Providing for public safety should not be a temporary, six-month consideration in public land management.

Conclusion

H.R. 3440 establishes a remote and unwieldy framework for the management of nearly five million acres of public land – thus tying the hands of a multiple-use land management agency

striving to provide for public safety with timely responses to on-the-ground conditions, informed by local input.

The BLM looks forward to continuing its work with the Congress and stakeholders in promoting and facilitating safe recreational shooting opportunities on lands administered by the BLM.

Thank you for the opportunity to present testimony on H.R. 3440. I would be glad to answer any questions you may have.